



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/010,566	12/07/2001	Michael J. Markowski	N0391/7007 SJH	4319

23628 7590 10/19/2005

WOLF GREENFIELD & SACKS, PC  
FEDERAL RESERVE PLAZA  
600 ATLANTIC AVENUE  
BOSTON, MA 02210-2211

EXAMINER
----------

CHARLES, DEBRA F

ART UNIT	PAPER NUMBER
----------	--------------

3624

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/010,566

Applicant(s)

MARKOWSKI, MICHAEL J.

Examiner

Debra F. Charles

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 6/27/2003.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Response to Arguments***

1. As the attorney's arguments, the claim objection is being reversed.

Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

1. Claims 1,4,5, 6,9,10, 11 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masand et al.(U.S.Pub. 2002/0095362A1), Ray et al. (6018722A) and Daniel et al.(4965772A).

Re claims 1, 6 and 11: Masand et al. disclose apparatus(para. 0042), a computer program product comprising a computer-readable medium having encoded therein computer program instructions for execution by a server computer(para. 0042, 0048), and a method for assisting an individual using a client computer to analyze a domain-specific parameter(para. 0047, 0057-0064), comprising:  
a server computer executing computer program instructions to  
(1) receive from the client computer an identification of a parameter to be analyzed(para. 0026,0027),

(2) obtain from a data source a current value for the parameter(para. 0040, 0041).

Masand et al. fail to teach provide to the client computer an evaluation of the current value and an explanation of a possible significance of that evaluation. However, Ray et al. does teach an expert system that manages an account and provides interpretation of economic and price data retrieved for the client computer(Fig. 1, 2, 4, 7, col. 1, line 55-col 3, line 35). Therefore, it would have been obvious to one of ordinary skill in the art the time the Applicant's invention was made to modify the teachings of Masand et al. to include the step of using an expert system to provide an evaluation. The motivation to combine these references is to explain to the user the implications of certain events.

Masand et al. and Ray et al. fail to teach by selecting text from among a plurality of selectable text templates and inserting values into the selected template. However, Daniel et al. does teach generating a series of messages by selecting prefab text and placing it on the display(Abstract, col. 2, lines 1-55). Therefore, it would have

been obvious to one of ordinary skill in the art the time the Applicant's invention was made to modify the teachings of Masand et al. and Ray et al. to include the step of generating a series of messages by selecting prefab text and placing it on the display. The motivation to combine these references is to explain to the user the implications of certain events.

Re claims 4, 9, and 14. Masand et al. disclose(s) the claimed invention except to provide a reference to one or more additional tools or parameters that might beneficially be studied next. However, Ray et al. does teach an expert system that manages an account and provides interpretation of economic and price data retrieved for the client computer (Fig. 1, 2, 4, 7, col. 1, line 55-col 3, line 35). Therefore, it would have been obvious to one of ordinary skill in the art the time the Applicant's invention was made to modify the teachings of Masand et al. to include the step of using an expert system to provide an evaluation. The motivation to combine these references is to explain to the user the implications of certain events.

Re claims 5, 10 and 15. Masand et al. disclose(s) parameter is a performance characteristic of a publicly traded security(para. 0026,0027).

2. Claims 2,3,7,8, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masand et al., Ray et al. and Daniel et al. as applied to claim 1, 6 and 11 above, and further in view of Bieganski et al. (U.S.PAT. 6334127B1) and Becker et al.(6023280A).

Masand et al., Ray et al. and Daniel et al. disclose(s) the claimed invention except dividing into broad bands a range the parameter values have experienced over a predetermined period of time, and relating the current value in terms of said bands. And wherein providing an evaluation further includes providing a possible or likely significance of the value falling within a specific band. However, in the Abstract, col. 8, line 1 – col. 13, line 10, Bieganski et al. disclose frequency distributions which are ranges of outcomes. It would be obvious to one of ordinary skill in the art to modify the invention of Masand et al., Ray et al. and Daniel et al. based on the teachings of Bieganski et al. The motivation to combine these references is to

effectively and efficiently enable suggested strategies based on existing parameters.

Masand et al., Ray et al., Daniel et al. and Bieganski et al. fail to teach mapping the current value into one of said bands and textually. However, Becker et al. does teach mapping values to specific bands and labeling those bands with text(Abstract, col. 2, lines 1-55).

Therefore, it would have been obvious to one of ordinary skill in the art the time the Applicant's invention was made to modify the teachings of Masand et al., Ray et al., Daniel et al. and Bieganski et al. to include the step of mapping values to specific bands and labeling those bands with text. The motivation to combine these references is effectively and efficiently associate values and text to certain bands.

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of

this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra F. Charles whose telephone number is (571) 272 6791. The examiner can normally be reached on 9-5 Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent A. Millin can be reached on (571) 272 6747. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Debra F. Charles  
Examiner  
Art Unit 3624

\*\*\*



VINCENT MILLIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600